

REMARKS

Claims 1-9 are pending.

Claims 1-8 are rejected.

Claim 9 contains features included in originally filed claim 6. Thus, it is respectfully submitted that no new matter is added by the addition of claim 9.

Claims 1-8 have been amended by this response. Claims 1 and 8 have been amended to clarify that each created summary summarizes the contents of a multimedia document. Claims 1-8 have also been amended to more clearly describe the invention and to provide antecedent basis for all terms. Support for the amendments to the claims may be found throughout the originally filed specification, claims and drawing figures and more specifically, on page 3, lines 18-20, page 8, lines 23-26 and page 10, lines 5-11. Thus, it is respectfully submitted that no new matter is added by the amendments to the claims.

Amendments to the Abstract

The Abstract of the disclosure is objected to because the words “comprising” on line 2 and “comprises” on line 3 incorporate legal phraseology from claim language. Additionally, the terms “means” and “said” should be avoided. The replacement Abstract has been amended to remove these terms. It is respectfully submitted that the replacement of the Abstract is for purposes of format and clarity only and does not add any new matter. In view of the replacement Abstract, it is respectfully submitted that the Abstract is now in the proper form and in conformance with MPEP § 608.01(b) as required by the U.S. Patent and Trademark Office.

Rejection of Claims under 35 U.S.C. § 112, sixth paragraph

The claims are rejected under 35 U.S.C. § 112, sixth paragraph, because the phrase “means of” appear in many claims. The claims have been amended to remove the phrase “means of.” In view of the amendments, the claims are now in conformance with MPEP § 2181. It is thus respectfully requested that this rejection be withdrawn.

Rejection of Claims 1-8 under 35 U.S.C. § 102(e)

Claims 1-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schlack et al. (U.S. Patent No. 7,260,823) hereinafter ‘Schlack.’

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The present claimed arrangement provides a device and method for creating summaries of multimedia documents. The device includes a storage that stores multimedia documents and a viewing unit that enables a user to view a multimedia document stored on the storage. A weighting module automatically assigns a weight to each multimedia document stored on the storage according to a frequency with which the stored multimedia documents are viewed by the user. A summary creation module creates a summary of the multimedia document stored on the storage according to the weight assigned to each multimedia document. Each summary summarizes the contents of a multimedia document. For the reasons presented below, Applicants respectfully submit that Schlack fails to teach or suggest each feature of the present claimed arrangement.

Schlack describes a system and method of profiling one or more television viewers by monitoring and processing, locally at a television viewing environment, the viewer’s interactivity with the television viewing environment. One or more profiles are generated for each viewer based on one or more of the multitude of interactions of each viewer. The system automatically and reliably detects and infers at a particular time, which specific individual or individuals are actually interacting with the TV in a household with more than one individual. Such viewer identification and profile generation can be used to facilitate the delivery of targeted content, including targeted advertising (see Abstract).

However, Schlack neither teaches nor suggests “a summary creation module that creates a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes the contents of a multimedia document” as recited in amended claim 1 of the present arrangement. The present claimed arrangement creates summaries containing the most important scenes of each multimedia document of some or all of the multimedia documents (see Specification, page 3, lines 18-20). The summaries allow the user to quickly view the content of his hard disk (see Specification, page 8, lines 23-26). Unlike the present claimed arrangement, Schlack does not create summaries summarizing the contents of the multimedia documents and thus, Schlack cannot teach or suggest “a summary creation module that creates a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes the contents of a multimedia document” as recited in amended claim 1 of the present arrangement.

The Office Action asserts that column 19, lines 4-16 and Figures 16 and 24 of Schlack describe the aforementioned feature. Applicant respectfully disagrees. Figure 16 illustrates a preferred program category (genre) profile. The profile shows the top five program categories (genres) chosen by a viewer and the associated relative duration and percentage that those program categories were watched. Further, Figure 19 and the accompanying description of Schlack describe a holding factor. The holding factor is how much of an entire program a viewer or household watches. Unlike the present claimed arrangement, Schlack does not create a summary of the program’s content, but rather only generates profiles of a viewer’s activity based on the interactions of each viewer. Summarizing what programs were watched and how long the programs were watched is not the same as creating “a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes the contents of a multimedia document” as recited in amended claim 1 of the present arrangement.

Further, the generated profiles of a viewer’s activity in Schlack can merely be equated to a summary of the weights assigned to the multimedia documents. However, the present claimed arrangement creates summaries of the contents of the multimedia documents

according to the weight assigned to each multimedia document. Unlike the present claimed arrangement, the profile created in Schlack is only similar to summarizing the weights assigned to the multimedia documents. Summarizing the weights assigned to the multimedia programs is not the same as creating “a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes the contents of a multimedia document” as recited in amended claim 1 of the present arrangement.

The Office Action argues that Schlack describes automatically creating a summary of the multimedia documents stored on a storage device because Schlack lists the top 20 programs by holding factor (see Figure 24). The Office Action further asserts that this listing of the top 20 programs of Schlack, which is a summary of the top 20 programs stored in the device that have received lots of viewing, as teaching the present claimed arrangement. The Office Action goes on to state that “[t]he broad language ‘summary of multimedia document’ reads on the listing of top view programs of Schlack as the program title of Fig. 24 shows a summary of the top 20 programs stored in the device that have received lots of viewing.” Applicants respectfully disagree. Unlike the present claimed arrangement, Schlack does not summarize the multimedia program. Schlack merely creates a summary of a user’s preferences based on the viewer’s activities. To clarify this distinction, claims 1 and 8 have been amended to recite “each summary summarizes contents of a multimedia document.” Schlack is silent regarding creating a summary of a multimedia program’s contents and thus cannot teach or suggest “a summary creation module that creates a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes the contents of a multimedia document” as recited in amended claim 1 of the present arrangement.

Therefore, as Schlack fails to teach or suggest each feature claimed in claim 1, Applicants respectfully submit that Schlack does not anticipate the present arrangement as claimed in claim 1. Consequently, it is respectfully submitted that the rejection of claim 1 is overcome and should be withdrawn.

Claims 2-7 are dependent on claim 1 and are considered patentable for the reasons set forth above with respect to claim 1. Therefore, Applicants respectfully submit that Schlack fails to teach or suggest the present arrangement as claimed in claims 2-7. Consequently, it is respectfully submitted that the rejection of claims 2-7 is overcome and should be withdrawn.

Independent claim 8 is a method claim including similar features to claim 1 discussed above. Thus, as claim 8 includes similar features to claim 1, it is respectfully submitted that claim 8 is considered patentable for the reasons presented above with respect to claim 1. Therefore, it is respectfully submitted that Schlack fails to anticipate the present arrangement as claimed in claim 8. Consequently, it is respectfully submitted that the rejection of claim 8 is overcome and should be withdrawn.

New claim 9 is also dependent on claim 1 via claims 4 and 5 and is considered patentable for the reasons set forth above with respect to claim 5. Therefore, Applicants respectfully submit that Schlack fails to teach or suggest the present arrangement as claimed in claim 9. Consequently, it is respectfully submitted that claim 9 is allowable.

In view of the above remarks and amendments to the claims, it is respectfully submitted that the Office Action fails to make a prima facie case that the present claimed arrangement is anticipated by Schlack. Therefore, as Schlack fails to teach or suggest each feature claimed in claims 1-9, it is respectfully submitted that this rejection is overcome and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney so that a mutually convenient date and time for a telephonic interview may be scheduled.

Attorney Docket No. PF040098
RCE dated March 22, 2010
Reply to Office Action of September 27, 2010

PATENT
Attorney Docket No. PF040009
Customer No. 24498

No additional fee is believed due. However, please charge any additional fee or credit any overpayment to Deposit Account 07-0832.

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March 22, 2011